

**IN THE UNITED STATES DISTRICT COURT**

**FOR THE DISTRICT OF NEW MEXICO**

**SECURITIES AND EXCHANGE COMMISSION,**

**Plaintiff,**

**v.**

**No. 09-cv-1021 SMV/ACT**

**CHARLES R. KOKESH,**


**Defendant.**

**ORDER DENYING MOTIONS FOR SUMMARY JUDGMENT**

THIS MATTER is before the Court on Plaintiff's Motions for Summary Judgment as to all Claims . . . [Doc. 51], and on Defendant's Motion for Summary Judgment on Plaintiff's Second and Third Claims [Doc. 54], both filed on January 25, 2013. After the Court granted an extension of time, the parties briefed both motions, including Plaintiff's submission of supplemental authority. [Docs. 51, 52, 53, 54, 55, 56, 57, 58, 65, 66, 67]. The Court heard oral argument on September 13, 2013. Based on the briefing, arguments, and relevant law, the Court denied the motions from the bench on September 13, 2013.

**IT IS ORDERED, ADJUDGED, AND DECREED** that for the reasons stated on the record at oral argument on September 13, 2013, Plaintiff's Motions for Summary Judgment as to all Claims . . . [Doc. 51] is **DENIED**, and Defendant's Motion for Summary Judgment on Plaintiff's Second and Third Claims [Doc. 54] is **DENIED**.

**IT IS SO ORDERED.**



---

**STEPHAN M. VIDMAR**  
**United States Magistrate Judge**  
**Presiding by Consent**